

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

In re: § **CASE NO. 16-50552**
PALMAZ SCIENTIFIC INC., §
§
§
§
§
Debtor. § **Chapter 11**

STIPULATION OF DISMISSAL WITH PREJUDICE

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW Milo H. Segner, Jr., as Litigation Trustee for Palmaz Scientific Litigation Trust (the "Trustee"), and Admiral Insurance Co., Colony Insurance Co., Allied World Assurance Company (U.S.), Inc., Federal Insurance Co., Hiscox Insurance Co., Inc. (collectively, the "Defendants") hereby stipulate as follows:

Plaintiff and Defendants file this stipulation of dismissal under Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

1. Plaintiff is Milo H. Segner, Jr., Liquidating Trustee of the PalmaZ Scientific Litigation

Trust. Defendants are Admiral Insurance Co., Colony Insurance Co., Allied World Assurance Company (U.S.), Inc., Federal Insurance Co., Hiscox Insurance Co., Inc.

2. On March 23, 2017, Plaintiff sued Defendants for a declaratory judgment on certain coverage issues related to insurance policies issued by the Defendants.
3. Plaintiff and Defendants have agreed to the dismissal of all claims in this suit with prejudice.
4. This case is not a class action under Fed. R. Civ. P. 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2
5. This case is not governed by any federal statute that requires a court order for dismissal of this party.
6. Plaintiff has not previously dismissed any federal or state court suit based on or including the same claims as those presented in this case.
7. This dismissal is with prejudice.
8. Plaintiffs and Defendants agree that all costs and attorneys' fees are the responsibility of the party incurring same.

Agreed and stipulated by:

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QUESADA, L.L.P.

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